

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1678 of 2007

Dated:13.03.2007

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Between:

Sri R.Bala Gangadhar Tilak.

... Petitioner

AND

The District Level Committee (Sand Auctions), Krishna District, and
others.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1678 of 2007

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ORDER:

The third respondent herein issued a Tender-cum-Notice to lease out different sand reaches of River Krishna on 14.11.2006. The auction was conducted on 01.12.2006, and the sixth respondent became the highest bidder for Jupudi Reach of Ibrahimpatnam Mandal in Krishna District. The petitioner herein is a resident and agriculturist of Jupudi Village. He is aggrieved by the grant of lease in favour of the sixth respondent. He alleges that respondents 1 to 3 conducted auction and leased out Jupudi Reach to the sixth respondent without obtaining prior report from the fourth respondent, which is mandatory under Rule 9-M of the Andhra Pradesh Minor Mineral Concession Rules, 1966 (for short 'the Rules'). Therefore, the petitioner seeks a writ of mandamus declaring the action of the respondents in notifying the sand reaches and holding auctions as illegal and arbitrary.

The matter was initially heard on 01.02.2007 and as requested by the learned Assistant Government Pleader for Panchayats it was adjourned to enable him to get instructions. Today the learned Assistant Government Pleader submits that the sixth respondent failed to comply with the terms and conditions of auction notice as well as the Rules, and by proceedings dated 23.02.2007, the second respondent cancelled the lease duly forfeiting the amount deposited by the sixth respondent. A copy of the said proceedings is also placed before this Court. In view of this, nothing survives in the Writ Petition. The copy of the proceedings bearing R.O.C.No.2437/06, dated 23.02.2007, is made part of the record.

The Writ Petition is accordingly dismissed. No costs.

13.03.2007
vs

(V.V.S.RAO, J)